

03-22-00

Express Mailing Certificate No. EF775095805US

Please type a plus sign (+) inside this box → PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

JC658 U.S. PTO  
03/21/00UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	MSC-22859-2-CU
First Inventor or Application Identifier	Thomas J. Goodwin
Title	Production of Functional Proteins: Balance of Shear Stress and Gravity
Express Mail Label No.	EF775095805US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Specification [Total Pages 35]  
(preferred arrangement set forth below)
 

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3.  Drawing(s) (35 U.S.C. 113) [Total Sheets 17]

4. Oath or Declaration [Total Pages 2]

- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
  - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5.  Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
 

- a.  Computer Readable Copy
- b.  Paper Copy (identical to computer copy)
- c.  Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7.  Assignment Papers (cover sheet & document(s))

8.  37 C.F.R. § 3.73(b) Statement [Power of Attorney]  
(when there is an assignee)

9.  English Translation Document (if applicable)

10.  Information Disclosure Statement (IDS)/PTO-1 449 [Copies of IDS Citations]

11.  Preliminary Amendment

12.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

13.  \* Small Entity Statement(s) [Statement filed in prior application, (PTO/SB/09-12)]  
Status still proper and desired

14.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

15.  Other: Letter containing the Certificate of Mailing and Copy of the Specifications, drawings, & Oath for Serial number 09/056,363.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment.

Continuation  Divisional  Continuation-in-part (CIP)  
Prior application information: Examiner T. Larson

of prior application No: 09 056,363  
Group / Art Unit: 1635

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label or  Correspondence address below  
(Insert Customer No. or Attach bar code label here)

Name	NASA Johnson Space Center Attn: Mail Code HA/James M. Cate				
Address	2101 NASA Road One				
City	Houston	State	TX	Zip Code	77058
Country	USA	Telephone	281-483-1001	Fax	281-244-8452

Name (Print/Type)	James M. Cate	Registration No. (Attorney/Agent)	25,181
Signature	<i>James M. Cate</i>		Date <i>Mar 11, 2000</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents; Box Patent Application, Washington, DC 20231.  
(This Form Electronically Generated (9/98))

JC690 U.S. PTO  
03/21/00PTO/SB/05 4/98  
03/21/00

NASA CASE NO. MSC-22859-2-CU

## Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel S. Goldin ) Group Art  
First Named Inventor: Thomas J. Goodwin ) Unit:  
Serial No.: )  
Filed : March 21, 2000 )  
For: Production of Functional Proteins: Balance of )  
Shear Stress and Gravity )

jc690 U.S. PTO  
09/532001 03/21/00

## Letter

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The enclosed application is being filed in accordance with Rules 1.10 and 1.53(b) in order to obtain a filing date of March 21, 2000. The application is being sent by Express Mail "Post Office to Addressee" under Certificate EF775095805US.

A petition for a one-month extension of time for response to the Office Action of November 26, 1999, in parent case SN 09/056,363 with authorization to charge Deposit Account No. 14-0116, was filed with applicant's filing of a Continued Prosecution Application. Accordingly, it is not believed that an additional extension of time is necessary in the present divisional application. However, in the event that an extension of time is required, it is requested that all additional fees entailed in such an extension also be charged to Deposit Account No. 14-0116.

Respectfully submitted,

*James M. Cate*  
James M. Cate, Reg. No. 25,181  
Attorney for Applicant

Houston, Texas 77058  
Telephone: 281-483-1001 or 281-483-4871  
Datafax: 281-244-8452

I hereby certify that the attached application "Production of Functional Proteins: Balance of Shear Stress and Gravity," is being deposited with the United States Postal Service on March 21, 2000, as Express Mail "Post Office to Addressee" under Certificate No. EF775095805US in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

James M. Cate

James M. Cate



National  
Aeronautics and  
Space  
Administration

**Request for Filing a Continuation, Divisional  
or Continuation-in-Part Application Under 37 CFR 1.53(b)**

2/a  
M.G.J  
6/17/00

NASA Docket No. MSC-22859-2-CU

Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:

Examiner T. Larson Art Unit 1635

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, DC 20231

Sir:

This is a request for filing a  continuation,  divisional application under 37 CFR 1.53(b) of prior application, Serial No. 09/056,363, filed on (Date) 4/7/98,

for (*Title of invention*) Production of Functional Proteins: Balance of Shear Stress and Gravity  
by the following named inventor(s):

FULL NAME OF INVENTOR	FAMILY NAME Goodwin	FIRST GIVEN NAME Thomas	SECOND GIVEN NAME John
RESIDENCE & CITIZENSHIP	CITY Friendswood	STATE OR FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP U.S.A.
POST OFFICE ADDRESS	STREET NUMBER AND NAME 1404 Beechwood	CITY Friendswood	STATE AND ZIP CODE/COUNTRY Texas 77546 U. S. A.
FULL NAME OF INVENTOR	FAMILY NAME Hammond	FIRST GIVEN NAME Timothy	SECOND GIVEN NAME Grant
RESIDENCE & CITIZENSHIP	CITY New Orleans	STATE OR FOREIGN COUNTRY Louisiana	COUNTRY OF CITIZENSHIP U. S. A.
POST OFFICE ADDRESS	STREET NUMBER AND NAME 1418 Bordeaux St.	CITY New Orleans	STATE AND ZIP CODE/COUNTRY Louisiana 70115 U. S. A.
FULL NAME OF INVENTOR	FAMILY NAME Kaysen	FIRST GIVEN NAME James	SECOND GIVEN NAME Howard
RESIDENCE & CITIZENSHIP	CITY New Orleans	STATE OR FOREIGN COUNTRY Louisiana	COUNTRY OF CITIZENSHIP U. S. A.
POST OFFICE ADDRESS	STREET NUMBER AND NAME 93 Versailles Blvd.	CITY New Orleans	STATE AND ZIP CODE/COUNTRY Louisiana 70125 U. S. A.

1. Enclosed is a copy of the prior application, including the specifications, claims, drawings and declaration as originally filed. I hereby certify that the attached papers are a true copy of prior application, Serial No. 09/056,363, as originally filed on 4/7/98, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. Cancel in this application original claims 13-26 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

3. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)

The filing fee is calculated on the basis of claims existing in the prior application as amended at 2, above.

FOR (1)	CLAIMS NUMBER		RATE (4)	CALCULATIONS (5)
	PAID FOR (2)	EXTRA (3)		
TOTAL CLAIMS 12	- 20	= 0	X \$18	= 0
INDEPENDENT CLAIMS 1	- 3	= 0	X \$78	= 0
MULTIPLE DEPENDENT CLAIMS (if applicable) -----				= 0
BASIC FEE -----			+	\$690.00
			TOTAL =	\$690.00

4. The Commissioner is hereby authorized to charge any fees which may be required to effect only the filing of this application under 37 CFR 1.16 or credit any overpayment to Deposit Account No. 14-0116

5. Amend the specification by inserting before the first line the following sentence:

"This application is a  division,  continuation of application Serial No. 09/056,363 filed 4/7/98,"

6. New formal drawings are enclosed.

7. The prior application is assigned of record to:

Government of the United States of America as represented by the Administrator, National Aeronautics & Space Administration

8. The Power of Attorney in the prior application is to (Name and registration number):

Hardie R. Barr, Reg. #31,480

Gary G. Borda, Reg. #35,455

Edward K. Fein, Reg. #24,559

Harry Lupuloff, Reg. #31,117

James M. Cate, Reg. #25,181

Alan J. Kennedy, Reg. #28,625

9. A Power of Attorney is enclosed.

10. Also enclosed: Extra copy of this form; Letter (1 pg) containing the Express Mailing Certificate & USPTO Form PTO/SB/05

Address all future communications to (Name, address and telephone number):

James M. Cate, Office of Patent Counsel, Code HA, NASA Road One, Houston, TX 77058-3696

Telephone: 281-483-1001

Fax 281-244-8452

*James M. Cate*

March 21, 2000

James M. Cate, Reg. #25,181

(Signature - Attorney of Record) (Registration Number)

Address of Signator:

NASA Johnson Space Center, 2101 NASA Road One

Filed under Rule 37 CFR § 1.34(a)

Houston, TX 77058-3696